

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL COURNEY,

Defendant.

Civil Action No. 2:22-cv-05835

**[Proposed] CONSENT DECREE**

The United States of America and defendant Daniel Courney have voluntarily agreed, as indicated by the signatures below, to resolve the United States' claims against defendant by the following terms:

1. Defendant Daniel Courney and any others acting under his direct instruction or direction are **PERMANENTLY ENJOINED** from coming within 25 feet of Metropolitan Medical Associates, located at 40 Engle Street, Englewood, New Jersey.

2. Defendant Daniel Courney and any others acting under his direct instruction or direction are **PERMANENTLY ENJOINED** from approaching within 8 feet of another person obtaining or providing reproductive health services, unless such person consents, within a 100-foot radius of any entrance to Metropolitan Medical Associates located at 40 Engle Street, Englewood, New Jersey.

3. Defendant Daniel Courney and any others acting under his direct instruction or direction are **PERMANENTLY ENJOINED** from using any device,

such as a drone, to come within 25 feet of Metropolitan Medical Associates, located at 40 Engle Street, Englewood, New Jersey.

4. Defendant Daniel Courney and any others acting under his direct instruction or direction are **PERMANENTLY ENJOINED** from violating the Freedom of Access to Clinic Entrances Act, 18 U.S.C. § 248.

5. Defendant Daniel Courney agrees to pay a civil penalty in the amount of \$5,000, as authorized by the FACE Act, 18 U.S.C. § 248(c)(2)(B).

6. Defendant Daniel Courney shall pay \$1,000 of the \$5,000 civil penalty within thirty days of the execution of this Consent Decree. \$4,000 of the \$5,000 civil penalty shall be suspended and not become due unless the defendant violates Paragraphs 1 through 4 of this Consent Decree.

7. No provision of this Consent Decree will bar the United States from seeking any appropriate remedy for any future violation of this permanent injunction.

8. This Consent Decree reflects a full resolution of the disputed or undisputed claims in the above-captioned action.

9. This Consent Decree constitutes a compromise and settlement of claims and shall not be deemed or construed as an admission of liability or waiver of any other rights by Daniel Courney and the entry of this Consent Decree shall not be used against Daniel Courney except for enforcement hereof.

**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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**UNITED STATES DISTRICT JUDGE**

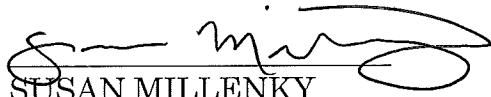
**FOR PLAINTIFF UNITED STATES OF AMERICA:**

DATED: October 3, 2022

KRISTEN CLARKE  
Assistant Attorney General  
Civil Rights Division

PHILIP R. SELLINGER  
United States Attorney  
District of New Jersey

By:

A handwritten signature in black ink, appearing to read "Susan Miltenky", is written over a horizontal line.

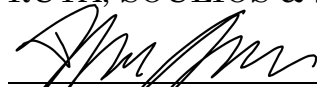
SUSAN MILLENKY  
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Civil Rights Division  
970 Broad Street, Suite 700  
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(973) 645-2700

**FOR DEFENDANT DANIEL COURNEY**

Dated: September 30, 2022

RUTA, SOULIOS & STRATIS, LLP

By:



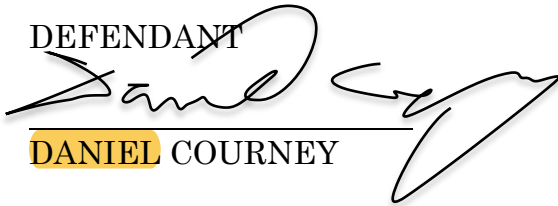
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DEFENDANT



**DANIEL** COURNEY